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| 09/409,128      | 09/30/1999  | EDWARD O. CLAPPER    | INTL-0274-US        | 4951             |

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EXAMINER

BUI, KIEU OANH T

ART UNIT

PAPER NUMBER

2611

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13

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/409,128

Applicant(s)

CLAPPER, EDWARD O.

Examiner

KIEU-OANH T BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Appeal Brief*

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action with an Appeal Brief on 03/08/01 is persuasive and, therefore, the finality of that action is withdrawn.

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --*

*(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

Claims 1-8, 11-17, and 20-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoddie et al. (U.S. Patent No. 6,137,484/ or "Hoddie" hereinafter).

Regarding claims 1 and 11, Hoddie discloses a method of linking information to video information comprising linking video information with other information, i.e., a user selectable region is linking video information to other information (Fig. 3A & 4, col. 2/lines 25-38, and col. 11/lines 1-56); and accessing other information in response to a user selection based on the

location of the video information on a frame and frame identifier, i.e., the user-selectable region is linked and mapped to video information on a frame and frame identifier basis (col. 10/lines 22-49 for linking structure addressed and col. 8/lines 17-53 for means for identifying video frames with identification field corresponding to an identifier selected by the user at region 322); and accessing said other information in response to a user selection of a frame selection, i.e., user clicks on one of hot buttons (as illustrated in Fig. 4) and system conveys the information to the user corresponding to the user's request of selecting that frame selection or that user-selectable region (col. 7/lines 1-38 & col. 8/line 45 to col. 9/line 22 for more details on the user-selectable region).

Regarding claims 2, 12 and 22, Hoddies discloses to include the step of defining a display grid system and specifying at least one location in said grid system using coordinates (col. 9/line 48 to col. 10/line 49).

Regarding claims 3, 13 and 23, in view of claim 1 above, Hoddie further discloses to include "developing a frame identifier using a time code", i.e, a time code is used for developing frame identifiers (col. 5/lines 48-59 & col. 7/lines 50-62).

As for claims 4 and 14, in further view of claim 1 above, Hoddie further discloses to include linking to other information without encoding a hyperlink into the video information, i.e., "click-through" technique is used based on x and y coordinates without encoding a hyperlink into the video information (Figs. 4-5 and col. 10 /lines 22-49).

As for claims 5, 15 and 25, in view of claim 1 above, the step of "including linking to other information on the same medium that stores said video information" is disclosed by Hoddie as Hoddie discloses that information data and other related information data is on the same medium within the system (Fig. 1, and col. 3/lines 44-65 for a data storage device storing video and audio data).

Regarding claims 6, 16 and 24, in further view of claim 1 above, Hoddie further includes linking video information on one processor-based system to other information on a separate processor-based system, i.e., a user can link to other information as a digital information data or graphics using additional and separate processor-based system as a digital signal processor or a graphics coprocessors (col. 4/lines 43-51).

Regarding claims 7, 17 and 21, Hoddies further discloses the steps of “wherein accessing said other information includes using a pointing device to select a location on a frame” (col. 5/lines 15-31).

Regarding claim 8, Hoddie further teaches to include “wherein using a pointing device includes using a remote control unit”, i.e., a pointing device such as a light pen can be regarded as a remote control unit for giving inputs and control signals at a distance (col. 5/lines 15-31).

As for claim 20, Hoddie further discloses a processor-based system comprising a processor (Fig. 1/CPU 101); and a storage coupled to said processor, i.e., a data storage device 104 coupled to the processor via a bus 100 (Fig. 1), storing software to link to additional information based on the user's selection, i.e., executable software applications and software routines for users to link to additional information (col. 4/lines 58-65 & col. 7/lines 38 for a linked list structure for linking other information based on the user's selection).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

6. Claims 9-10, 18-19, and 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoddie et al. (U.S. Patent No. 6,137,484) in view of Youden et al. (U.S. Patent No. 5,815,146).

Regarding claims 9-10 and 18-19, Hoddie does not specifically disclose the steps of “receiving a video stream, and pausing said video stream when accessing said other information” and “automatically resuming the playback of said video stream when the other information is no longer being accessed”, but the technique of pausing a video program, i.e., halting it or put it in an inactive status, when the user access the other information and automatically resuming the playback of that video program when the other information is no longer accessed is taught by Youden (see Youden, Pause command as of VCR services in col. 14/lines 1-12 and Figs. 11 & 12a-d). Therefore, it would have been obvious to one of ordinary skill in the art to modify Hoddie’s technique with Youden’s technique of controlling the execution of a video program by automatically suspending a first program when a second program being accessed and resuming back to the first program if the second program is no longer being accessed in order to offer an enhanced system that allow viewers not to miss any portion of a whole broadcasting program while accessing other information during the playback of that program as desired.

As for claims 26-27 and 30, in view of claims 9 and 10 above, the combination of Hoddie and Youden teaches a method of recording incoming video information comprising storing said video information as received (claim 20 above for a data storage), for playback in the sequence the information was received; allowing playback of any portion of stored video information while continuing to store said incoming video information; and automatically pausing the playback of said video information when the user changes the software focus, while continuing to record the incoming video stream (see Examiner’s discussion in claims 9-10 above).

As for claim 28, in view of claim 1 above, Hoddie discloses the system to include linking to different video information based on the user's selection of a location and a frame on a display of video information, i.e., using a pointer to link to the frame numbers or frame indexes (or location of that frame) of the scene change point (col. 2 /lines 6-21; col. 5/lines 16-31 & col. 17/lines 13-22); and accessing said other information in response to a user selection of a frame selection, i.e., user clicks on a user-selectable region and system conveys the user to an information data corresponding to the user's request of selecting that frame selection (col. 8/line 45 to col. 9/line 21; col. 11/lines 3-56 & col. 13/lines 15-37).

As for claim 29, in further view of claim 1 above, Hoddie further discloses to include automatically linking to said different video information based on the user's selection of a particular frame location using a pointing device (col. 5/lines 15-31).

### ***Conclusion***

**7. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui  
Art Unit 2611  
May 27, 2003

  
ANDREW FAILE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600